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# Debs Calls the Jury of the People to Try Indiana Governor

by Eugene V. Debs

Published in *The New Day* [Milwaukee], v. 4, no. 20, whole no. 102 (May 20, 1922), pg. 157.

*Mr. Debs was attacked, it will be remembered, by the Governor of Indiana in January at an American Legion gathering at which efforts were made to stir up the people, with the hope, apparently, that violence would result. McCray cried out, melodramatically, that he was "sorry that the one arch-traitor of our country should live in the state of Indiana," and a Cincinnati dispatch to the New York World said that "every organization of the Ku Klux Klan in Northern Kentucky and Southwest Ohio has endorse the plan to use mob force, if necessary, to break up all labor meetings addressed by Eugene V. Debs and held to bring about the release of political prisoners now held in prison. The great agitator is still suffering from his prison experience and has made no speeches, but the fact that the poison given out by the Indiana Executive and others is still at work, has called forth the below answer.*

*In answer to the attack made upon him by the Governor of Indiana at the time of his homecoming from prison, Eugene V. Debs has issued the following statement to his fellow citizens, asking them to place the Governor on trial before public opinion for a speech inciting to violence:*

Ladies and Gentlemen of the Jury:

The essence of this case is the act of creating and inspiring impulses to crime. The defendant Governor is charged in the indictment with using words under such circumstances, and of such nature, as to create a danger of lawless violence.

In an address to the American Legion the defendant uses words in substance and effect as follows: "Debs is the arch-traitor of our country. May the Legion teach him a lesson."

Mr. Debs was recently welcomed home from prison by a turnout of 30,000 of his neighbors and friends, and with greetings by 9,000 letters and telegrams — a tribute unique in our country's history. This is the man, thus enshrined in the confidence and love of the people, against whom the Governor hurls his venomous shaft.

The speech, in itself, is not important. It might be the effervescence of a shallow politician, or the bombast of a posing nut. It is the setting of the speech that gives it importance.

In the logic of the Supreme Court in the Debs case, words are criminal when they "create a danger" of a criminal act. This "danger" is an inference from the nature and circumstances of the words — an inference that does not require proof by subsequent criminal events.

This is the dictum that put Debs in prison. He did not advise resistance to the draft; nor did he advise mutiny in the army; nor did his words lead to either. It was the alleged "danger" that his words might bring about these results that, in the mind of the court, constituted the offense. And so important is this principle considered that the court placed it above the constitution.

## **Circumstances of Speech.**

Now, ladies and gentlemen of the jury, let us try the Governor by this logic of the court. What were the circumstances of his words?

Observe, first. It is the State Executive who

speaks. When such a functionary is sympathetic toward latent hatreds and prejudices, and tendencies to lawlessness, it is a tremendously important circumstance.

Second. The speech was to the American Legion, which is characterized as follows: Young men, immature, inexperienced, many illiterate, without social vision, ignorant of history and social science, led by self-seeking egotists, boasting a crude, raw, ruthless, ignorant, blatant, conceited type of mind that hates everything above its own limitations; responsive to flattery, inflammable, unreasoning, prejudiced, lovers of heroics, a whooping, flag-waving bunch without foresight or any rational love of country — just the kind to be excited by a flattering, inflaming speech.

### **Plutocracy Backs Legion.**

Third. The Legion holds a large number of irresponsible and vicious characters, as shown by the press reports of hundreds of criminal outrages against law-abiding citizens committed by legionnaires in all parts of the country — a criminal record many fold worse than anybody ever tried to prove against the IWW.

Furthermore, being chartered and supported by the ruling plutocracy as a tool of reaction, the Legion is secure in the sympathy and support of the press and courts — a security that emboldens the vicious in its ranks.

Fourth. The press reported recent joint threats of legionnaires and Ku Klux Klansmen against Debs. In view of the notoriously criminal methods of the Klansmen, this alliance speaks for itself.

Fifth. The defendant's speech was published in the daily press and thus reached every variety of criminally inclined cranks, lawless adventurers, hotheads, and fanatical 100 Percenters.

Sixth. It is notorious that the half-insane war frenzy is still a relish among the ignorant, and the designing self-seekers who enthuse with it for base and criminal purposes.

### **Speech Invited Violence.**

Seventh. The social atmosphere is already highly charged with violence, which has become a matter-of-course part of every day's news, a chronic condition of

lawlessness inspired by the reactionary press, and the favor of sympathetic officials.

Such was the social magazine into which this firebrand was cast.

Was there any mitigating circumstances, any excuse for the speech?

To call a man a traitor because he disagrees with a bunch of politicians in Washington is the utmost limit of bigotry and insolence.

In the midst of our war on Mexico in 1846-47, Lincoln, Sumner, Chase, Hale, Lovejoy, Garrison, and thousands of others vehemently denounced the war as unjust and wicked. Were they traitors?

Debs protested against the war policy of President Wilson, who was elected to "keep us out of war," but who, after profiting thus by a no-war pose, threw it over, faced about, plunged into war, gagged the peace voters who elected him, and conscripted the boys to do the fighting. But of what meat did our Woodrow eat that he should become a divinity whose dictum was sacred?

### **War Over Trade.**

A war for what? It is now known that the war was a clash of rival foreign interests over the control of Asia Minor. Wilson said this was Germany's actuating motive (Buffalo speech). The secret treaties of the allies, published by the Russians, confirm this view, and the Paris Peace Conference proves it with crystal clearness.

Then how and why did we get into a war that belonged exclusively to Europe? Easy enough. Morgan invested in the Allies' chances by a half billion dollar war loan. This loan had President Wilson's sanction, and that while we were yet "neutral."

Even so, upon the principle of "protection to foreign investments," just when "watchful waiting" saw that German successes over the Allies endangered Morgan's loan, we plunged in. That is to say, we entered the war for a private interest. This is now a controlling principle in all imperialist governments. It was recently recognized and invoked by our Secretary of War in calling for strong military outposts "to protect our foreign investments," and by President Harding in the phrase "protecting American interests abroad. This is the spirit and the ethics of imperialism every-

where.

### **Build Plutocracy Empire.**

Bayard, when Secretary of State, said it did not comport with our dignity to “lend our sovereignty to our foreign speculators.” But that was 36 years ago. We are now building a plutocracy empire — building it by “investment penetration,” backed by force of arms. It puts to the front a principle that does not recognize human rights or human life.

It was for the purpose of extending this principle (that is, governmental sovereignty in private interests) in international relations that we joined the Allies in blockading Russia, though officially at peace with her, and starved to death many millions of helpless people.

About 15 years ago, in the interest of Morgan’s investments, we overthrew sovereignty in Nicaragua, and set up a political dictatorship backed by our guns. Our guns are still there.

About 6 years ago, in the interest of New York investors, we overthrew the governments of Haiti and Santo Domingo, and set up a military despotism. Those who resisted were imprisoned or shot. President Harding condemned President Wilson for the act, promised to undo the wrong, took over the swag, confirmed the robbery, carried forward the buccaneering scheme, appointed a dictator, and coolly informed the Senators it is none of their business what instructions he gave his satrap.

These cases illustrate how the principle works abroad, and our army of political prisoners shows how it works at home.

### **US Fought Morgan’s War.**

Thus, endowed with American sovereignty, Morgan’s money led the flag against Germany, and against Austria, an ally of Germany, but not against Turkey, also an ally of Germany. Why this discrimination? Rockefeller had oil interests in Turkey, which saved her from our wrath. (See speech of the chairman of the House Military Committee.)

The head of the great federal bank trust, whose word is absolute on government policies, reasoned that by getting into the war we would be in position at the

peace table to protect the foreign bonds held by Morgan and others. (Statement March 22, 1917.)

There is not the shadow of a reasonable doubt that private financial interest took us into the war.

The French foreign minister said (in a recent book) that the war would have been called off soon after it started had our ambassador and an agent of Morgan’s banking interests promised our aid — though they conceded that at that time now more than 50,000 Americans would favor war, while 100 million would oppose it; but they counted on war propaganda to turn the trick.

### **Press Screamed for War.**

The war agencies were set in motion. Thirty million papers daily screamed for war. The “public sentiment” of big business became “war-patriotic.” War was declared. Men were called for, but the boys did not go in. The draft was instituted, which Wilson said was “in no sense a conscription of the unwilling.” But only about 1 in 50 of the army boys enlisted. The millions went because they had to. There was no “patriotism” in it — a fact for the deflation of the super-patriotic legion.

Then were opened the floodgates for the torrents of lies and wild alarms. All opposition was outlawed. Coercive agencies were set up everywhere and terrorism reigned supreme. The few who kept clear heads and spoke the truth were cast into prison. Thus was created a mass war-insanity that engulfed every social and civil institution, including the churches and the courts.

The President exhausted all the possibilities of speech glorifying the war, and painted its purpose with colors from the heavenly throne. But when it was over he admitted that it was only a common, ordinary, sordid commercial war, just like all other modern wars. (St. Louis and Kansas City speeches.)

Then who was the traitor? Was it not he who plunged us into war under false pretenses and gagged the opposition to conceal the motive?

And who was the true man of his country, of mankind, and of God? Was it not he who raised his voice against the inhuman madness?

**US Constitution Violated.**

The constitution says, "Congress shall make no law abridging free speech." Congress has made such a law, the President signed it, and the court sustained it. Who were the traitors?

Without free speech there is no progress, and the people stagnate. Better a thousandfold the abuse than the denial of free speech, for the abuse lasts but a day, while denial destroys the life of a nation.

Now, let it be conceded, honorable jurors, that this defendant belongs to the upper stratum; to the "ruling class"; to the "ordained aristocracy" of our social order; that he is sympathetically related to the "best brains," whose wisdom and skill brought the world to its present social and moral bankruptcy; that he is a devout Presbyterian, "foreordained," and piously discourses on "civic righteousness," "reverence for law," "our traditions of liberty," and "the glory of a free people," like another Presbyterian, "foreordained to be President," who talked freedom like an angel and practiced autocracy like a devil. Social position is a circumstance that gives weight to an offense against the peace and dignity of the state.

**Imperialism vs. Americanism.**

Moreover, a lip service offered to Christian virtue is tremendously discounted by an attitude fundamentally hostile to it. And what of the boasted patriotism which is nothing but antagonism to essential liberty? "Thou dost take my house when thou dost take the prop that sustains it."

It must be evident to you, ladies and gentlemen, that our imperialism is destroying the Americanism that was expressed in the Declaration of Independence and the Bill of Rights of the Constitution, and is building on its ruins a plutocratic despotism. The punishment of those who protest simply shows the way we are going, and marks the distance we have gone to a violent death full of the spoils and blood of mankind.

This incident of the Governor simply represents a feature in the great drama of a suiciding civilization.

Ladies and gentlemen of the jury, what shall be your verdict?

*Edited by Tim Davenport.*

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